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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,417	07/03/2001	Michael R. Rosen	65219-A/JPW/PJP 3315	
7:	7590 01/16/2004		EXAMINER	
Cooper & Dunham LLP 1185 Avenue of the Americas			WHITEMAN, BRIAN A	
New York, NY 10036			ART UNIT	PAPER NUMBER
			1635	

DATE MAILED: 01/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)			
Advisory Action	09/898,417	ROSEN ET AL.			
, avissi, y risusii	Examiner	Art Unit			
	Brian Whiteman	1635			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address					
THE REPLY FILED 22 December 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.					
PERIOD FOR REPLY [check either a) or b)]					
<ul> <li>a)  The period for reply expires 3 months from the mailing date</li> <li>b)  The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS 706.07(f).</li> </ul>	Advisory Action, or (2) the date set forth ater than SIX MONTHS from the mailing FILED WITHIN TWO MONTHS OF TH	g date of the final rejection. IE FINAL REJECTION. See MPEP			
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).					
1. A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.					
2. The proposed amendment(s) will not be entered because:					
(a) ☑ they raise new issues that would require further consideration and/or search (see NOTE below);					
(b) ☐ they raise the issue of new matter (see Note below);					
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or					
(d) 🔲 they present additional claims without canceling a corresponding number of finally rejected claims.					
NOTE: Proposed amendent to claims 1, 2, and 15 would require further consideration and search.					
3. Applicant's reply has overcome the following rejection(s):					
4. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).					
5. The a) affidavit, b) exhibit, or c) request for reconsideration has been considered but does NOT place the application in condition for allowance because:					
6. The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.					
7. For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.					
The status of the claim(s) is (or will be) as follows:					
Claim(s) allowed: None.					
Claim(s) objected to: None.					
Claim(s) rejected: <u>1-3,9,11,15,16,32 and 34</u> .					
Claim(s) withdrawn from consideration: 4-8,10,12,17-31,33 and 35.					
8. The drawing correction filed on is a) approved or b) disapproved by the Examiner.					
9. Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s)					
10. Other:					
		SCOTT D. PRIEBE, PH.D			

U.S. Patent and Trademark Office PTOL-303 (Rev. 11-03) PRIMARY EXAMINER